



Subject:	Update in relation to the Statutory Landlord Registration Scheme
Date:	7 th February 2017
Reporting Officer:	Nigel Grimshaw, Director City & Neighbourhood Services Department
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Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	This report is to update Members on the Landlord Registration scheme as requested at the November Committee meeting.
2.0	Recommendations
2.1	The Committee is asked to; <ul style="list-style-type: none">Note the contents of this report.
3.0	Key Issues
3.1	The Landlord Registration (Northern Ireland) 2012 became operational on 25 th February 2014. The regulations has created a register of all private landlords that can be accessed by councils, tenants and members of the public to check if a landlord has registered under the scheme. It has also given the Department for Communities (DFC) and local councils the means to communicate and work with private landlords, allow them to ensure that landlords comply with the law and where necessary take enforcement action.
3.2	Landlords register with the DFC and pay one fee regardless of the number of properties they own. The fee is £70 on-line and £80 for paper/non-electronic applications. A

registration lasts for 3 years.

- 3.3 The DFC appointed a Landlord registrar who is in charge of the information and may disclose it, on request, to:
- a district council to enable or assist it to carry out its legal duties;
 - the Department of Finance and Personnel Northern Ireland to help it to carry out its legal duties for rating purposes;
 - the Northern Ireland Housing Executive, for the purposes of administering housing benefit, and the regulation of Houses in Multiple Occupation.
- 3.4 The offence of the failure of a landlord to register carries a maximum fine on conviction of £2,500. If a landlord is found guilty of providing false information it carries a maximum fine on conviction of £2,500. If a landlord fails to provide evidence of registration it carries a maximum fine on conviction of £500.
- 3.5 Payment of a fixed penalty will discharge any liability for prosecution. These penalties must be determined by the Council and cannot exceed £500 for the offence of non-registration and providing false information, and £100 for the offence of failing to provide evidence of registration.
- 3.6 The register can be accessed on-line via <https://www.nidirect.gov.uk/services/landlord-search>
- 3.7 It is estimated that there are currently 106,126 properties in the Private Rented Sector in Northern Ireland with over a quarter of them 28,676 in Belfast. The numbers of landlords registered in Northern Ireland is currently 50,884.
- 3.8 30,011 landlords registered in relation to 65,532 properties in the first year (2014/15) of the scheme. A further 16,354 registered in relation to a further 16,354 properties in the second year (2015/16). So far this year 4,526 landlords have registered in relation to 8,319 properties.
- 3.9 From April 2015 until present the City Council has completed over 1907 Landlord Registration checks and sent 557 warning letters to and served 18 fixed penalties on non-compliant landlords.

3.10	<p>A press article in September 2016 highlighted that 738 rented properties in the Holylands did not have a landlord registered with the scheme. Since then we have undertaken an extensive exercise in the area including a mailshot to all known landlords, door to door visits and various land web searches. This has identified that 550 of the 732 identified in the press article needed further investigation. Interventions by the Council have reduced this number to 336 cases and these are being investigated at present on a case by case basis.</p>
3.11	<p>Councils receive no income from registration fees paid to the Department. We are allowed to keep the income for fixed penalties served. All enforcement activity in this area is therefore carried out within existing budgets.</p>
3.12	<p>All registration income is held by the DFC and they use the funding to cover the costs of the following:</p> <ul style="list-style-type: none">▪ Maintenance of landlord registration system capable of both electronic and non-electronic registration;▪ Advice and guidance on how to register and how the registration system works provided by NI Direct;▪ Preparation and issue of quarterly newsletter to all registered landlords/agents;▪ Salary costs for Landlord and Deputy Landlord Registrar;▪ System enhancement payments for BT;▪ Chartered Institute of Housing (CIH) Level 2 Award for Private Landlords – part-funding over a three year period;▪ Housing Rights – Landlord Helpline – funding for one year pilot project to provide advice and guidance to registered Landlords on the private rented sector.
3.13	<p>The Department is currently exploring the potential for councils to receive funding from the fee to enable them to promote the scheme. These conversations are at an early stage and updates will be brought to Members as these progress. The DFC recently launched a consultation on the review of the private rented sector and one aspect of this is proposed changes to the landlord registration scheme. Officers are currently preparing a response for future consideration by this committee. This consultation can be accessed via the following link. https://www.communities-ni.gov.uk/consultations/private-rented-sector-northern-ireland-proposals-change</p>

3.14	<p><u>Financial & Resource Implications</u></p> <p>The Council receive no landlord registration income. All additional and investigative enforcement work in relation to the scheme is carried out within current budgets.</p>
3.15	<p><u>Equality or Good Relations Implications</u></p> <p>There are no relevant equality considerations associated with this report</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>None</p>